

Serial No. 09/854,708

Attorney Docket No. PF01898NA

REMARKS

Claims 1 through 16, 18 through 25 and 27 through 37 are pending in this application. Claims 32 through 37 are hereby amended.

Claims 32 through 37 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 32 through 37 are hereby amended accordingly and, therefore, reconsideration and withdrawal of the 35 U.S.C. §112, second paragraph, rejection of claims 32 through 37 are respectfully requested.

Claims 1, 4 through 10, 12, 13, 15, 16, 18 through 20, 22, 23, 25, 27 through 29 and 31 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,148,261 to Obradovich, et al. ("Obradovich, et al. patent"). Claims 1, 4, 6, 7, 9, 11 through 13, 15, 16, 18 through 20, 22, 23, 25, 27 through 29, and 31 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,546,092 to Kurokawa, et al. ("Kurokawa, et al. patent"). Claims 2, 3, 14 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over either the Obradovich, et al. patent or the Kurokawa, et al. patent in view of U.S. Patent No. 5,406,491 to Lima ("Lima patent"). Claims 21 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Obradovich, et al. patent or the Kurokawa, et al. patent in view of U.S. Patent No. 5,331,602 to McLaren ("McLaren patent"). Claims 32 through 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Obradovich, et al. patent or the Kurokawa, et al. patent.

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Claim 1, *inter alia*, provides a positioning support device for placement near a navigational feature, and claims 13 and 23 provide, *inter alia*, similar language. In contrast, the satellites described by the Obradovich, et al. patent, the Kurokawa, et al. patent, and the Lima patent and the buoys described by the McLaren patent are not positioned near any type of navigational feature, as required by claims 1, 13 and 23. Therefore, claims 1, 13 and 23 distinguish patentably from the Obradovich, et al. patent, the Kurokawa, et al. patent, the Lima patent, the McLaren patent, and any combination of these patents.

The above Office Action states that the satellites of the cited references are placed near (relative) a navigational feature such as water or land. Applicants respectfully disagree. The GPS system of the Obradovich, et al. patent, the Kurokawa, et al. patent, and the Lima patent include satellites orbiting the Earth and a GPS receiver operated by and, thus, located near a user-operated device ... not a navigational feature. The positioning support devices required by claims 1, 13 and 23 are not described, suggested or utilized by the systems of the Obradovich, et al. patent, the Kurokawa, et al. patent, and the Lima patent, because these systems utilize a different method of identifying navigational features, i.e., referencing mapping information.

Claims 2 through 12, 14 through 16, 18 through 22, 24, 25 and 27 through 37 depend from and include all limitations of independent claims 1, 13 and 23, respectively. Therefore, claims 2 through 12, 14 through 16, 18 through 22, 24, 25 and 27 through 37 distinguish patentably from the Obradovich, et al. patent, the Kurokawa, et al. patent, the Lima patent, the McLaren patent, and any combination of these patents for the reasons stated above for claims 1, 13 and 23.

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In view of the above, reconsideration and withdrawal of the rejections of claims 1 through 16, 18 through 25 and 27 through 37 are respectfully requested.

CONCLUSION

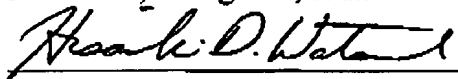
No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. A Notice of Allowance is respectfully solicited. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

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Date